

### REMARKS

Claims 1-37 are pending in this application and were rejected. In view of the following remarks, reconsideration of the application is respectfully requested.

#### Claim Rejections - 35 USC § 103

Claims 1-6, 10, 11, 17, 20, 22 and 28-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong et al. (Framework Architecture for Signaling Transport, June 1999, IETF Internet Draft) in view of Auerbach et al. (Session Manager, 25 February 1999, IETF Internet Draft). Applicant respectfully traverses this rejection as it fails to present a *prima facie* case of obviousness.

Regarding claims 1-6, 10, 11, 20, 22, 28-32, and 35, and taking claim 1 as representative, the first element calls for "terminating a plurality of *packet-switched call signaling connections, each corresponding to one of a plurality of packet-switched calls*, at a packet-switched signaling gateway." (emphasis added.) The rejection does not demonstrate the existence of this element in the prior art. The rejection acknowledges that Ong et al. transports SCN (Switched Circuit Network) signaling protocols, such as SS7, from a Signaling Gateway. There is no disclosure in Ong of packet-switched call signaling connections, each corresponding to one of a plurality of packet-switched calls. There is no disclosure in Ong et al. of terminating such call signaling connections at a packet-switched signaling gateway and then communicating their signaling content to a media gateway controller.

Turning to the secondary reference, Auerbach et al., this reference also deals with SCN interfacing. For instance, the rejection states "Auerbach includes Signaling Gateways in the more generic category of gateways." In fact, Auerbach et al. state "Session Manager is intended to be used between a Media Gateway (MG) or Signaling Gateway (SG), *which interfaces between the circuit world (PSTN) and the packet world (IP/ATM)*, and a Media Gateway Controller (MGC), which provides call processing." (Auerbach, 1. Introduction, emphasis added.) Thus like Ong et al., there is no teaching of the claimed terminating and communicating claim elements.

Although a plurality of packet-switched bearer streams are admittedly in the prior art, routing them in the method claimed in claim 1 is likewise missing from the prior art.

Not only are the claim elements indicated above missing from the prior art, but also nothing suggests modification of the prior art to implement the method elements, packet-switched signaling gateway and/or media gateway controller as variously claimed in this

claim group. Similar limitations existing in the other claims of this group warrant patentability under similar arguments. Accordingly, Applicant respectfully submits that a *prima facie* case of obviousness is lacking for claims 1-6, 10, 11, 20, 22, 28-32, and 35.

Regarding claims 17, 33, and 34, the rejection refers to a capability in Auerbach for a gateway sending PDUs to both an ACTIVE and STANDBY MGC. There is no showing that these PDUs contains the call state information for the calls served by the primary media gateway controller, as claimed in claim 17, and Applicant fails to see how those PDUs alone would convey call state information since the STANDBY MGC is listening to half of a conversation. Further, claim 33 and 34 state that the failover MGC(s) periodically receives call state information from *one of the primary media gateway controllers*, not from a gateway. This additional element is missing from the references, in addition to those indicated above. Accordingly, Applicant respectfully submits that a *prima facie* case of obviousness is lacking for claims 17, 33, and 34 as well.

Claims 7-9 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong et al. in view of Auerbach et al. as applied to claims 1-6, 10, 11, 17, 20-22, 28-31, and further in view of Christie, IV (US 6,445,695). Applicant respectfully traverses this rejection at least for the reasons presented above for the parent claims of claims 7-9 and 37. Christie presents nothing that overcomes the deficiencies noted above for those parent claims.

Claims 12-16, 23-27 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong et al. in view of Auerbach et al. as applied to claims 1-6, 10 and 11, and further in view of Auerbach et al. (Signaling Backhaul Protocol, 25 February 1999 IETF Internet Draft). Applicant respectfully traverses this rejection as failing to create a *prima facie* case of obviousness for the rejected claims. Like the previous references, Auerbach (Signaling Backhaul Protocol) addresses SCN signaling gateways, and merely adds backhaul capability for such signaling. Nothing teaches or suggests backhauling H.323 (for example) *packet-switched* call signaling. Accordingly, the *packet-switched* call signaling limitations of these claims, including those identified above for the patent claims, are neither taught nor suggested by the combination of references.

Claims 18, 19 and 21 are rejected under 35 U.S.C. § 103(a) as being ) as being unpatentable over Ong et al. in view of Auerbach et al. (Session Manager, 25 February 1999,

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IETF Internet Draft) as applied to claims 1-6, 10 and 11, 17, 20-22, 28-31 above, and further in view of Draft H.323, 30 January 1996, Telecommunication Standardization Sector of ITU (ITU-T). Applicant respectfully traverses this rejection as failing to create a *prima facie* case of obviousness for the rejected claims. Draft H.323 certainly discloses H.323 bearer stream functionality and packet-switched call signaling connections, but it fails to cure the basic deficiencies presented above as they apply to these claims: the basic method and signaling gateway are neither taught nor suggested by the draft H.323 standard. In fact, by creating a packet-based call signaling method for directly passing signaling between endpoints and MGCs over a packet network, the draft H.323 teaches *away* from the imposition of a call signaling gateway between the two.

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## Conclusion

Applicant respectfully requests allowance of the application. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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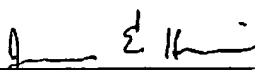


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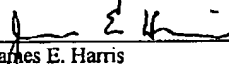
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I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number (703) 872-9314, on Aug. 17, 2003.

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